

TODD M. LEVENTHAL, ESQ
Nevada Bar No. 008543
600 South Third Street
Las Vegas, Nevada 89101
(702) 384-1990
Attorney for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
SAMUEL DAVIS,)
SHAWN RICE)
Defendant.)
_____)

CR-S-09-078-JCM(RJJ)

**STIPULATION TO CONTINUE
TIME SET FOR SENTENCING**

IT IS HEREBY STIPULATED AND AGREED by and between Defendant, SAMUEL DAVIS, by and through his counsel, TODD M. LEVENTHAL, ESQ., and the United States of America, by its counsel, DANIEL G. BOGDEN, United States Attorney and GREGORY DAMM, Assistant U.S. Attorney, that the sentencing hearing currently set for September 23, 2011 be vacated and reset in 15 days, preferably not on a Friday

This Stipulation is entered into for the following reasons:

1. A pre-sentence report was disclosed to counsel on May 10, 2011.
2. Defense counsel needs additional time to review the report and make any objections to said report.
3. Mr. Davis is currently not in custody and he has no objection to this continuance.
4. Counsel has spoken to Mr. Gregory Damm and he has no objection to this continuance.

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1 5. The additional time requested by this Stipulation is not for purposes of delay but rather to
2 allow the parties ample time to prepare for sentencing.
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6 DATED this 7th day of September, 2011.
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9 -S-
TODD M. LEVENTHAL, ESQ.
Counsel for defendant
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-S-
GREGORY DAMM, ESQ.
Assistant U.S. Attorney

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FINDINGS OF FACT

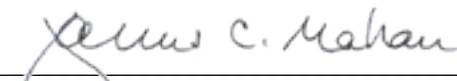
Based on the stipulation of counsel, and good cause appearing, the Court finds that:

1. A pre-sentence report was disclosed to counsel on May 10, 2011.
2. Defense counsel needs additional time to review the report and make any objections to said report.
3. Mr. Davis is currently not in custody and he has no objection to this continuance.
4. Counsel has spoken to Mr. Gregory Damm and he has no objection to this continuance.
5. The additional time requested by this Stipulation is not for purposes of delay but rather to allow the parties ample time to prepare for sentencing.

ORDER

Accordingly, IT IS SO ORDERED that the September, 23 2011 hearing is vacated and the same is continued and reset for October 13, 2011 at 10:30 a.m.

Dated this 12th day of September, 2011.


UNITED STATES DISTRICT JUDGE